

25345. Adulteration of cherries. U. S. 4 Crates of Cherries. Default decree of condemnation and destruction. (F. & D. no. 36381. Sample no. 33853-B.)

The cherries involved in this action were found to be contaminated with arsenic and lead.

On August 17, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four crates of cherries at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 11, 1935, by Lyman Bros., from South Haven, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Lyman Bros. South Haven, Mich."

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, in amounts which might have rendered it injurious to health.

On November 1, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25346. Adulteration of cherries. U. S. v. 14 Crates of Cherries. Default decree of condemnation and destruction. (F. & D. no. 36382. Sample no. 33858-B.)

The cherries involved in this action were contaminated with arsenic and lead.

On August 17, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 crates of cherries at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 12, 1935, by Fox & Godding, from Benton Harbor, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "J. L. Willmeng R-2 Watervliet, Mich."

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, in amounts which might have rendered it injurious to health.

On November 1, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25347. Adulteration of butter. U. S. v. 24 Tubs of Butter. Default decree of condemnation and destruction. (F. & D. no. 36384. Sample no. 30564-B.)

This case involved butter that contained mold.

On August 27, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 19, 1935, by the Davis-Cleaver Produce Co., from Quincy, Ill., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy, putrid, or decomposed animal substance.

On October 2, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25348. Adulteration of butter. U. S. v. 20 Tubs of Butter. Default decree of condemnation and destruction. (F. & D. no. 36385. Sample no. 30567-B.)

This case involved butter samples of which were found to contain mold.

On August 27, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 19, 1935, by the Chesapeake Creameries, Inc., from Baltimore, Md., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of filthy, decomposed, or putrid animal substance.

On October 2, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25349. Adulteration of butter. U. S. v. 18 Cartons and 17 Cartons of Butter. Default decrees of condemnation. Product ordered sold as inedible grease. (F. & D. nos. 36389, 36390. Sample nos. 31081-B, 31086-B.)

These cases involved butter that contained mold.

On August 23 and August 27, 1935, the United States attorney for the Middle District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 35 cartons of butter at Wilkes-Barre, Pa., alleging that the articles had been shipped in interstate commerce on or about July 30, August 6, and August 16, 1935, by the H. C. Christians Co., from Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Clover Land Brand Country Roll."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On January 3 and January 10, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the identity of the product be destroyed by melting and mixing it with other greases and that it be sold by the United States marshal for purposes other than for human consumption.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25350. Adulteration of butter. U. S. v. 66 Boxes of Butter. Default decree of condemnation and destruction. (F. & D. no. 36395. Sample no. 37477-B.)

This case involved butter that contained filth.

On September 5, 1935, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 66 boxes of butter at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about August 29, 1935, by the Jackson Center Creamery Co., from Jackson Center, Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Delicious Brand Creamery Butter * * * Oswald & Hess Co., Pittsburgh, Pa."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed animal substance.

On October 26, 1935, no claimant appearing, judgment of condemnation was entered and it was ordered that the product be destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25351. Adulteration of canned salmon. U. S. v. 2,438 Cases, et al., of Canned Salmon. Consent decree of condemnation. Product released under bond. (F. & D. nos. 36420, 36428, 36434, 36439. Sample nos. 40579-B, 40580-B, 40585-B, 40586-B, 40591-B, 40592-B, 40593-B, 40594-B, 40879-B, 40887-B, 40890-B, 40892-B, 40894-B, 40896-B, 40897-B, 40898-B.)

These cases involved canned salmon which was in part decomposed.

On September 23 and September 25, 1935, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 30,898 cases of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce by the Alaska Southern Packing Co., from Kupreanof Harbor, Alaska, arriving at Seattle, Wash., on or about August 31, 1935, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

The Alaska Southern Packing Co. appeared as claimant, admitted the allegations of the libels, and consented to the entry of a decree. On November 15, 1935, a consolidated judgment was entered condemning the product but providing that it might be released under bond conditioned that it should not be disposed of in violation of the Federal Food and Drugs Act, and that it be brought into conformity with the law under the supervision of this Department.

R. G. TUGWELL, *Acting Secretary of Agriculture.*